

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANTONIO D. WATSON, TONY TIX, INC.,
GERALD W. KELLY, JUST JERRY'S, INC.
t/a and d/b/a SCOREBOARD RESTAURANT
& TAVERN and ROBERT KENNEDY

Plaintiffs

vs.

ABINGTON TOWNSHIP, ABINGTON
TOWNSHIP POLICE DEPARTMENT,
WILLIAM J. KELLY, RICHARD L. KONDON
JOHN PARKS and ANTHONY AMMATURO

Defendants

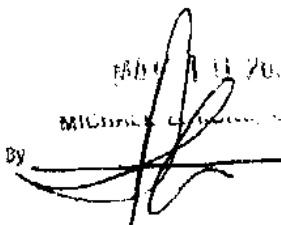
CIVIL ACTION

NO. 01-5501

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TUCKER, PETERSE B

By  Dep. Clerk

**PLAINTIFF ANTONIO WATSON'S ANSWER AND BRIEF IN
OPPOSITION TO DEFENDANTS' MOTION TO COMPEL
PLAINTIFF'S SOCIAL SECURITY RECORDS**

The plaintiff, Antonio Watson, opposes the defendants' request to obtain Mr. Watson's Social Security records, as the plaintiff believes that his records are irrelevant to this action. This is a civil rights action, not a personal injury case. Therefore, even though it is not disputed that Mr. Watson is receiving Social Security Disability benefits, any records pertaining to his disability would not be relevant to this civil rights action.

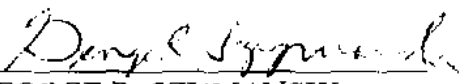
The amount of money that Mr. Watson has obtained in disability benefits from the Social Security Administration also is not relevant in any way to Mr. Watson's claim for economic losses. Mr. Watson's economic loss claim stems from the fact that Abington Township police violated his civil rights by shutting down his business because of his race and because the police did not like Mr. Watson. After Abington Township police raided Mr. Watson's business and confiscated all his records and client information, Mr.

Watson was never able to reopen his business, and he has never been able to rebound from his financial losses.

Just because Mr. Watson receives Social Security Disability benefits, this does not mean that he did not lose money from the above described events. A person can receive disability benefits and still lose income from other sources.

Mr. Watson has given the defendants a large box full of whatever financial documents were in his possession. These documents might be relevant to proving or disproving Mr. Watson's economic loss due to the shutting down of his business. However, the defendants have failed to articulate some reason why Mr. Watson's Social Security records would be relevant to this action. The defendants merely seem to be saying that just because Mr. Watson has made a claim for economic losses, his Social Security records are automatically discoverable. However, the two do not necessarily follow. The defendants must still explain with specificity why Mr. Watson's Social Security documents would be relevant in a civil rights case alleging economic loss due to the collapse of Mr. Watson's ticket agency business.

Therefore, the plaintiff respectfully requests that the defendants' motion should be denied.

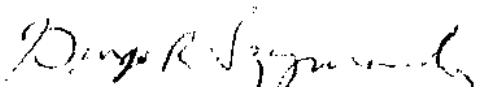
By: 
GEORGE R. SZYMANSKI
Attorney for Plaintiff Watson
2538 East Allegheny Avenue
Philadelphia, PA 19134
(215) 426-4680
ID No. 42456

Dated: May 6, 2004

CERTIFICATE OF SERVICE

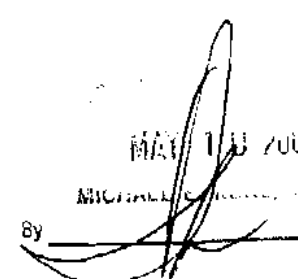
I, George R. Szymanski, hereby certify that I served an original and three copies of this Opposition to defendant's motion to the United States District Court, 601 Market Street, Room 2609, Philadelphia, PA 19106 on the below date, by United States first class mail, and to the following:

MARSHALL, DENNEHEY, WARNER,
COLEMAN & GOGGIN
One Montgomery Plaza, Suite 1002
Norristown, PA 19401
Attn: Joseph J. Santarone, Jr., Esquire



GEORGE R. SZYMANSKI, ESQUIRE
2538 East Allegheny Avenue
Philadelphia, PA 19134
(Phone) 215-426-4680
(Fax) 856-232-9830

Dated: 5/6/04



MICHAEL C. [illegible]
By _____ Dep. Clerk

LAW OFFICES OF
GEORGE R. SZYMANSKI

MEMBER OF NEW JERSEY AND PENNSYLVANIA BARS

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FAX NUMBER: (856) 232-9830

May 6, 2004

Michael Kunz, Clerk
UNITED STATES DISTRICT COURT
601 Market Street
Room 2609
Philadelphia, PA 19106

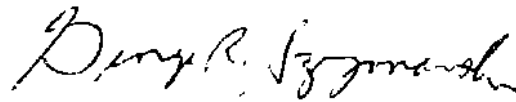
Re: Watson v. Abington Twp., et al
USDC # 01-cv-5501

Dear Sir/Madam:

Enclosed is plaintiff's opposition to defendants' motion to compel the plaintiff's Social Security records. Kindly file and return a conformed copy in the envelope provided.

My thanks for your cooperation in this regard.

Very truly yours,



GEORGE R. SZYMANSKI

GRS/sl
encl
cc: Joseph J. Santarone, Jr., Esquire
w/encls